

**REMARKS**

**I. Status of the Claims**

Claims 1-5 and 7 stand rejected.

Claims 1, 5 and 6 have been amended. No new matter has been added.

Claim 6 has been allowed.

Claims 1-7 are pending.

**II. Rejections Under 35 U.S.C. § 102(b)**

The Examiner has rejected claims 1-5 and 7 under 35 U.S. § 102(b) as being anticipated by U.S. Patent No. 6,557,212 to Hwang ("Hwang"). The Examiner states that Hwang discloses all of the features of the present invention.

Applicant respectfully submits that Hwang does not disclose each and every element of Applicant's invention as presented in the amended claims. Specifically, Hwang fails to disclose a refuse retrieval device having an inner and outer frame wherein "at least one of the inner and outer frame is movable with respect to the other frame." (*See* Claims 1 and 5) In fact, the inner frame and outer frame portions labeled by the Examiner in Hwang are merely different points on the same portion of the tool in Hwang and do not represent separate elements that may be movable with respect to one another. That portion of Hwang is effectively a connecting portion used to connect various working part attachments to the handle of what appears to be a gardening tool. Moreover, Hwang discloses a single frame handle containing connecting means to interconnect with various working part attachments and does not disclose separate inner and outer frame elements. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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